

1408-013 Chaucery Cause, C.
Isle of Wight County

H. Hart + W.
+ d

P. Gwalthney 15 B.

H. Gwalthney's adm

Other surnames. Brock,
Barlow, Logan, Thomas Gray
Whitley, Batten, Millington,
Little, Ward, Delk, Cofer,
Boykin, Walker

Hort & Gwalling

vs $\frac{1}{2}$ Suit for Partition

B. H. Gwalling's Inter. et. al.

Bill of Complaint.

First Appl. Reels 1893.
Bill of. filed & de m. nisi et,
all adults except S. B. & Gwalling.

Second Appl. Re: Bill taken for
comps. as to depts. on. et. et.
et: nisi was returned. Gd. ad.

Citation of 2 depts. depts. being
answered, filed. Gd. et. et.

First Sep. Reels 1893.
on. et. et. et. S. B. & Gwalling.

Second Octo. Re: Suit for
partition et. S. B. & Gwalling
on. et. et. et. et.

Oct term 1893

et. et. et.

April term 1894, see comps report
to all et.

Oct. term 1894
Repts. Conf. de la Cour

June 1; 1908

To the Hon. C.W.Hill judge of the Cir.Court of Isle of Wight CO/
 Your orators C.H.Hart and W.R.Gwaltney, humbly
 complaining, represent to the court that in the year 1889 B.H.Gwalt-
 ney departed this life intestate leaving a widow who survived him
 only a few months and likewise departed this life, that he left
 no child, no father, mother or brother or sister living, that at
 the time of the death of the father and mother of said B.H.Gwaltney
 he six brothers and sisters who died a short time before he did
 all leaving children and grandchildren who take of the estate of
 said decedent per stirpes as follows:

(1) Your orator W.R.Gwaltney a son and S.B.Lee Gwaltney
 a grandson of Willis Gwaltney one of said brothers,

(2) A.R.Gwaltney a son, N.O.Gwaltney a son, Fannie Brock
 a daughter, Ann. M.Barlow a daughter, of Thomas Gwaltney another
 of said brothers:

(3) Ardell Logan a grandchild, Luster Thomas a grandchild
James Thomas a grandchild, and Oceanna Thomas a grandchild of Irvin
 Gwaltney another of said brothers:

(4) W.H.Gwaltney a child, Mary F.Whitley a child, Lou-
 isa Batten a child, Roxanna C.Millington a child, Mattie Little,
 Mrs John R.Ward, James Gwaltney, and Eddie Gwaltney grandchildren
 of William Gwaltney another of said brothers:

(5) C.H.Hart one of your orators who is the assignee by
 deed of record of the husband and children of Mrs Harriet Gray
 nee Gwaltney who was a sister of said B.H.Gwaltney:

(6) H.Delk a son who conveyed his interest to C.H.Hart
 one of your orators, and William P.Delk, Mary A.Delk, Martha M.
Delk, ^{last} grandchildren of ~~said~~ Betsy Delk another sister of said
 B.H.Gwaltney:

Your orator further represents that
 R.A.Edwards sheriff of Isle of Wight county is the duly qualified

administrator of said B.H.G waltney deceased, and that an account of debts has been taken and report by the Commissioner of Accounts of the county court of said Isle of Wight county showing debts due amounting to \$^{197.76}97.96 as will appear by a copy of the records herewith filed as an exhibit and prayed to be read as a part of this bill, marked "A".

Your orators say that said B.H.Gwaltney died seized and possessed of a tract of land lying, being and situate in said Isle of Wight county in the state of Virginia containing by estimation 90 acres more or less adjoining the lands of W.J.Baily colored, Mary E. Cofer ^{L.H. Hart} and others. This is a small farm about one half or one third arable and the rest in woods and cannot be divided into two shares even without injury to the value of each half, and certainly cannot be partitioned in kind among the parties entitled to the same. The place is fast coming down and in a few years more of renting will reduce very much its small rental value.

For as much as your orators are remediless in the premises save in this honorable court where matters of this sort are alone and properly cognizable they pray that R.A. Edwards sheriff and administrator of said B.H.Gwaltney deceased, S.B. Lee Gwaltney, A.R. Gwaltney, N.O. Gwaltney, Fannie Brock and A.W. Brock her late husband, Ann M. Barlow, W.H. Barlow ^{her husband}, Ardell Logan nee Thomas, Richard ^{her husband} Logan, Luster Thomas, W.H. Gwaltney, Mary F. Whitley, and Geo. T. Whitley her husband, Louisa Batten, Roxanna C. Millington and John E. Millington her husband, Mattie Little, and T.J. Little her husband, Mrs John R. Ward and John R. Ward her husband, and James Thomas, Oceanna Thomas, James Gwaltney, Eddie Gwaltney, Mary A. Delk, William P. Delk and Martha M. Delk (the last seven being infants under the age of 21 years) be made parties defendants to this bill of complaint, and required to answer the same, but an answer on oath is hereby expressly waived as provided by statute, and they pray that said tract of land be sold and out of the proceeds

of said sale pay the debts of said B.H.Gwaltney deceased and any lien that may be found on the interest of any party, that a reasonable fee be allowed counsel conducting this cause, that all proper and necessary enquiries and accounts be taken stated and reported to court, that all such other, further and general relief be afforded your orators as to equity and good conscience may seem meet. And they will ever pray & c.

W.S. Hallant Jr.

Hunt & Huntley

25

Huntley's adm. Tols.

Summary of report of
by guardian ad litem
and answer of guardian
ad litem of report
of report.

//

Filed 2^d of Feb, Rec.
1893.

ants. And now having fully answered, then
defendants say to be hence dismissed
with their costs etc.

Mercia M. Delk

Willie P. Delk

Mary A. Delk

James Thamer

Oleama Thamer

Eddie Swalley

James Swalley

By

guardian ad litem

guardian ad litem of
said infants

Sworn to before me in my County of Alle
& weight in the State of Virginia by R.E.
Bykin guardian ad litem as represented that
4th day of Sept. 1893

W.S. Hallard

Clerk of the Court &c.

In the Circuit Court of the County of Isle of Wight

The answer of Mortha M. Delk, Willie P. Delk, Mary A. Delk, Eddie Swalling, James Swalling, Oleana Thomas and James Thomas, infants under the age of 21 years by R. E. Byrum (a district and competent attorney at law) their guardian ad litem assigned to defend them in this suit, and the answer of the said R. E. Byrum guardian ad litem of the said infant defendants, to a bill of complaint exhibited against said infants and others in the cir. court of said Isle of Wight County by L. H. Hunt & W. R. Swalling:

For answer to said bill the said infant defendants by their said guardian ad litem answer and that being of tender years they do not know what their ^{own} interests are in relation to the subject matter of this said bill, nor do they know the statements therein contained are true or not. They confide the protection of their interest therein to the care of the Court. And the said guardian ad litem of the said infant defendants for answer to said bill, answers and says he knows nothing of the truth or falsity of the averments in the said bill. He says full protection for the infant defend-

Executed April 1st 1893
by sending a true copy
of the within Sum. to
Richard Logan
Arden Logan
Roxana C. Millington
and John C. Millington
B. W. Edwards D.S.
for J. M. Arrington Sherr
Sunglo^{re}

C. H. Nash et al.

vs.

}

SUBPENA
IN
CHANCERY.

Equating B. W. Adams
et al.

W. S. Hall et al. p. q.

To first April Rules,
1893, Circuit Court.

Fee & postage - \$2.⁰⁴ sent

The Commonwealth of Virginia,

To the Shiriff of the county of Surry, Greeting:

WE COMMAND YOU, That you summon R. A. Edwards Sheriff & administrators
of B. H. Gwatney decd., Ardell Hogan, Richard Hogan,
Roxana C. Millington & John E. Millington

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight
at the rules to be held for the said Court on the first Monday in April, 1893,
to answer a bill in Chancery, exhibited against them & others in our said court by C. H.
Hart and W. H. Gwatney

And have then there this writ. Witness, N. O. Young Clerk of our said
Court, at the court-house, the 20th day of March, 1893, and in the 11th year
of the Commonwealth.

N. O. Young clk.

Other sums in hands
of J. J. Allen

Hart C. S. H. H. H. H. H.

vs.

}

SUBPENA
IN
CHANCERY.

Geollney's adm. et al.,

W. S. Holland p. q.

To first April Rules,
1893, Circuit Court.

Executed Mel 28th/93
by serving a copy of the
within summons on
Each of the within parties in
person. J. Jackson Jy.
for a Cornwall Jy.
Free postage receipt.

The Commonwealth of Virginia,

To the Sheriff of the county of Norfolk Greeting:

WE COMMAND YOU, That you summon Ro. A. Edwards sheriff and
administrator of B. H. Gwatney decd., Anne M.
Barlow and Ed. H. Barlow

to appear at the Clerk's Office of the Circuit Court of the County of Stafford
at the rules to be held for the said Court on the first Monday in April, 1893,
to answer a bill in Chancery, exhibited against themselves in our said court by C. H.
Hart and W. R. Gwatney

And have then there this writ. Witness, A. P. Young Clerk of our said
Court, at the court-house, the 20th day of March, 1893, and in the 11th year
of the Commonwealth.

A. P. Young cl.

Heart & Penmanship

U.S.

SUBPŒNA
IN
CHANCERY.

Quitting B. F. road.
et al.

L.O.S. Hollanda.....p q.

To *First Bk.* Rules,

1893. Circuit Court.

Received by electronic a copy of the
 document to All Gooding W. C. Gooding
 Francis (Brother A. C. Brother Dennis Thomas
 W. H. Gooding Wm. F. Gooding Geo. J. Gooding
 Dennis Arthur Whipple J. G. Gutter
 J. H. Gooding J. H. Gooding. March 2nd
 1893.
 No. A. Gooding

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight Greeting:

WE COMMAND YOU, That you summon R. A. Edwards, Sheriff & administrator of R. A. Edwards, dec'd; C. B. Lee, Attorney, A. B. Gwaltney, N. O. Gwaltney, James Brock, A. W. Brock, Ann M. Barlow, W. H. Barlow, Ardell Logan, ne Thomas, Richard Logan, Sister Thomas, W. H. Gwaltney, Mary A. Whitley, and George P. Whitley her husband; Louisa Battie, Roxanna C. Millington and John C. Millington her husband; Mattie Little and T. J. Little her husband; Mrs. John P. Ward and John P. Ward her husband; - and James Thomas, Ocea and Thomas, James Gwaltney, Eddie Gwaltney, Mary A. Delk and Martha M. Delk, the last six are infants under the age of 21 years.

to appear at the Clerk's Office of the Chancery Court of the County of Isle of Wight at the rules to be held for the said Court on the first Monday in April, 1893, to answer a bill in Chancery, exhibited against them in our said court by C. H. Hart and W. R. Gwaltney

And have then there this writ. Witness, A. O. Young Clerk of our said Court, at the court-house, the 20th day of March, 1893, and in the 11th year of the Commonwealth.

A. O. Young, CLK

Hart et al,

vs. { AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Greatham's adms.
et al,

vs S. Hallam p. q.

In the Clerk's Office of the Circuit Court of the County of
Isle of Wight County
Hart C. H. Gwatney P. R.

against

Plaintiff

R. A. Edwards admr. of B. H.
Gwatney, S. B. See Gwatney & others

Defendant

This day W. S. Holland atty. for plff. personally appeared
before me, N. P. Young, Clerk of the said Court,
and being duly sworn made oath that the defendant, S. B. See Gwatney

defendant in the said suit is not resident of the State of Virginia,

W. S. Holland

Subscribed & sworn to by W. S. Holland before me,

Given under my hand as Clerk of the said Court, this 5th day of Sept.

1890

N. P. Young clk.

Hart et al.

vs.

}

ORDER OF
PUBLICATION.

Gevalt et al.

Veronica
In the Clerk's Office of the *Circuit* Court of the *County* of
Isle of Wight on the *5th* day of *September* 189*3*.

C. A. Edwards Plaintiff,
H. C. Gwaltney

against *H. A. Edwards Sheriff of Isle of Wight*
Gwaltney et al. Defendant.

In ch.

The object of this suit is to *obtain partition of the land whereof*
H. C. Gwaltney died seized and possessed in the county of
Isle of Wight

And an affidavit having been made and filed that the defendant *H. C. Gwaltney*
is not resident of the State of Virginia, it is ordered
that *he* do appear here, within *fifteen days* after due publication hereof, and do
what may be necessary to protect *his* interest in this suit. And it is further ordered that a copy
hereof be published once a week for four weeks in some newspaper, and that a copy be forthwith posted at
the front door of the court-house of this county.

A copy—Teste:
W. S. Holland p. q. *H. C. Gwaltney* Clerk.

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of the county of Isle of Wight, on the 5th day of September, 1893—

C. H. Hart and W. R. Gwaltney. Plaintiffs
vs.

R. A. Edwards, Sheriff and administrator
of B. H. Gwaltney, deceased, S. B.
Lee Gwaltney, A. R. Gwaltney et
als.....Defendants

IN CHANCERY.

The object of this suit is to obtain partition of the land whereof B. H. Gwaltney died seized and possessed in the county of Isle of Wight amongst his heirs at law. and an affidavit having been filed that the defendant, S. B. Lee Gwaltney, is not a resident of the State of Virginia, it is ordered that he do appear here, within fifteen days after due publication hereof and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in some newspaper, and that a copy be forthwith posted at the front door of the courthouse of this county.

A copy—Teste:

N. P. YOUNG, Clerk.

W. S. HOLLAND, p. q.

se7 th4w

I, *S. S. Wingham Jr Editor* of the
NORFOLK LANDMARK, a newspaper published in the City
of Norfolk, in the State of Virginia, do certify that the order of
publication, a copy of which is hereto annexed, has been published
once a week for four successive weeks, in said newspaper,

commencing on the *7th* day of *September* 18 *93*,
and ending on the *28th* day of *September* 18 *93*

Given under my hand this *7th* day of *July* 18 *95*.

S. S. Wingham Jr Editor

E. E. HOLLAND, President.
WM. H. JONES, Jr., Cashier.

Capital Stock, - \$20,200.
Surplus and Profits, \$156,000.

—ESTABLISHED 1870—

Farmers Bank of Nansemond.

Suffolk, Va., Nov 30 1895

W. S. Holland Esq,
Windsor, N. H.

Dear Sir:

Are not the deposits
of Dec 19th & 29th the same?
We have no record of the item
on 29th but credited your $\frac{1}{2}$
on 20th with Jones Saunders drafts
137⁶⁴. We think these items
are the same.

Yours Truly
W. H. Jones Jr Cash
by Hargrave B. K

See also to Court
of Mr. Justice, both
in full

W.S. Hall and Spe. Corr.

In afc with est. B. H. Ewally Dec 2nd

1895-

Jan	20	By amt. Sale of land			625 00
"		Int. from Jan. 1 st to Jan 20 th 1895			2 08
To		Costs taxed		68 94	
"		Retained to pay future costs		5 00	
"		Coms. on \$627.08		21 54	
"		Paid crer	71	5 00	
"		" Hard hills		1 00	
"		Fee allowed W.S. Hollen by Court		50 00	
"		Paid debt due W. R. Kwatley	38	39 09 ✓	
"		" " " C.H. West assignee R.H. Jordan	37	30 53 ✓	
"		" " " " " " per taxes	37	5 00 ✓	
"		" " " " W.R. Kwatley	38	11 77 ✓	
"		" " " " " " "	"	34 94 ✓	
"		" " " " R.A. Edwards Sheriff & admr J.A. Cofer	52	\$6 30	
"		" " " " R.E. Bykin on bond	53	9 05 ✓	
"		" " " " N.P. Young Cur. & clerk for making recording acct. debts in County court		8 74 pd by R.H.	
"		Bal in hand for distribution to heirs		250 18	
				627 08	627 08

Distribution to heirs

	Name	Where	Interest is	1/12	38	20	85	✓	80	20	05
	W. R. Revalling	"	"	"	38	20	85	✓	80	20	05
	S. B. Lee Revalling	"	"	"	39	20	85	✓	80	20	05
	C. H. Stent	"	"	"	37	62	55	✓	31	60	18
	A. R. Revalling	"	"	"	40	10	41	✓	40	10	01
	R. O. "	"	"	"	41	10	41	✓	"	"	"
	Honnie Brack	"	"	"	42	10	41	✓	"	"	"
	Ann M. Borlow	"	"	"	43	10	41	✓	"	"	"
	Ardel Lagoon	"	"	"	44	10	41	✓	"	"	"
	Lester Thomas	"	"	"	45	10	41	✓	"	"	"
r	James Thomas	"	"	"	346	10	41	✓	"	"	"
r	Oleana Thomas	"	"	"		10	41	✓	"	"	"
	W. H. Revalling	"	"	"	46	8	34	✓	32	8	02
	May F. Whitty	"	"	"	47	8	34	✓	"	"	"
	Loris a Batten	"	"	"	48	8	34	✓	"	"	"
	Roxanna C. Millington	"	"	"	49	8	34	✓	"	"	"
	Attie Little	"	"	"	50	2	08	✓	8	2	00
	Mrs Jno R. Word	"	"	"	51	2	08	✓	"	"	"
r	James Revalling	"	"	"		2	08	✓	"	"	"
H. r	Eddie Revalling	"	"	"		2	08	"	"	"	"
r	W. P. Deek	"	"	"	1/36	6	95		26	6	69
r	May A. Deek	"	"	"		6	95		"	"	"
r	Martha M. Deek	"	"	"		6	95		"	"	"

Nash C. H. &
H. R. Gwaltney

\$75.8

see Wm. S. Holland
Cornr who has the
money in hand
C. H. Nash.

7	55
4	25
11	83

88

C. H. Hart & W. H. Gwaltney.

Dw

1893 To the Clk. of Isle of Wight Cir. Ct.
Apl. 2d. Rate for plff. 50. Att. for def. 10.
Rule 50. answer of gen. ad litem 15. Repl. 15.
Conte. at 1st May Rules 25. Do. at 1st Aug. 25.
Sept. filg. affdvt. 25. Ord. of publn. 36. 3 Copies Co.
Oct. filg. 15. Rules 15. dockg. 25. W. Gwaltney fal.

3.66

1894 ~~decree for debts~~ Copy & noting

1.08

Apl. Filg. Comm. in Chy. Sept. 15. decree for sale 36.
Copy 20. notg. 18. Com's bond recy. 100. Copy 40.
filg. 15. filg. Copy 15. Certif. of bond 25. - -

W. P. Young, Clk.

284
\$7.58

W. H. Hart

THE BANK OF COMMERCE
NORFOLK, VA.

FOR COLLECTION, 130
FOR ACCOUNT OF
THE BANK OF COMMERCE,
Norfolk, Va.

Wm. S. Holland,
Attorney

Suffolk, Va. January 30th 1895

No. 37

The Farmers Bank of Nanslemend
Pay to the order of

C. H. Axtell

\$ 75 $\frac{71}{100}$

Seventy five and 71/100

Dollars

Full of debt paid against and upon distribution interest in
two cents note of B. H. Brewster

W. S. Holland

W. R. Whitting
Asst. Secy.

THE BANK OF SMITHFIELD
J. S. WILSON, Secy.

FOR COLLECTION, 1890
FOR ACCOUNT OF
THE BANK OF COMMERCE,
Norfolk, Va.

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan'y 30th 1895 No. 38

The Farmers Bank of Nanssmond
Pay to the order of

W. B. Kewitting \$100⁰⁰
one hundred & six and 65¹⁰⁰/₁₀₀ Dollars

in full of three debts joined in suit of Hart & Kewally vs Kewally's
admr. et al. and also your share in proceeds of sale of land - in full of
hers & creditors

W. S. Holland

J B Lee Gwaltney

Thomas I. Hopkins.

COLLECTOR AND ACCOUNT OF
THE BUREAU OF THE BANK
OF THE CITY OF PHILADELPHIA
JOSEPH H. HARRIS, CASHIER.

W. H. Jones, Jr. Cashier.
Collection, on Account of
PORTFOLIO NATIONAL BANK,
PORTFOLIO, VA.
C. Hardy, Cashier.

Wm S. Holland,
Attorney.

315
Suffolk, Va., Jan 30th 1895 No. 39

The Farmers Bank of Nansemonid

Pay to the order of

S. B. Lee Rev alling

Twenty and 5/100

SEE HOW ADVISE
NORFOLK NATIONAL \$207.00

By No 109 Dollars

In full of your interest in proceeds of B. H. Rev alling land
sold after paying costs & debts

W. S. Holland

A. R. Gwaltney

A. R. Gwaltney

THE BANK OF NORTHERN VIRGINIA
A. S. GALT, President

Pay Farmers Bank of Nansemond
SUFFOLK, VA.,
OR ORDER, FOR COLLECTION,
CITIZENS BANK OF NORFOLK
Walter H. Doyle, Cashier.

Wm. S. Holland,

Attorney.

Suffolk, Va., Jan^y 30th 1895- No. 40

The Farmers Bank of Nansemond
Pay to the order of

A. R. Swalley

\$10.01

Ten and 1/100

Dollars

In full of your interest in proceeds of sale of B. H. Swalley
land after paying costs & debts

W. S. Holland

N O Gwatney

Beaufort

Pay Farmers Bank of Nansemond,
NORFOLK, VA.,
OR ORDER, FOR COLLECTION,
CITIZENS BANK OF NORFOLK, VA.,
Walter H. Doyle, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan'y 30th 1895 No. 41

The Farmers Bank of Nausetmond
Pay to the order of

N. O. Swatney

\$10.81
100

Ten and 1/100

Dollars

In full of my interest in proceeds of sale of B. H.
Swatney land - after paying costs & debts

W. S. Holland

*Harriet Brooks
A. C. Swatney*

*Pay W. H. Doyle,
Cashier, or Order for Collection,
of a Check on
THE BANK OF SMITHFIELD,
220 N. 1ST ST., BOSTON.*

Pay Farmers Bank of Nausemond,
SUFFOLK, VA.,
OR ORDER, FOR COLLECTION.
CITIZENS BANK OF NORFOLK, VA.,
Walter H. Doyle, Cashier.

Wm. S. Holland,

Attorney

Suffolk, Va., Jan'y 30th 1895 No. 42

The Farmers Bank of Nansmond
Pay to the order of

Fannie Brack

\$10 ⁰⁰/₁₀₀

Ten and 1/100

Dollars

In full of my interest in proceeds of sale of B. H. Ewelling
land after my debts & costs

W. S. Holland

Ans M Barlow

Mr Bailyard

COLLECT FOR ACCOUNT OF
Bank of Portsmouth,
PORTSMOUTH, N.H.

J. L. Pillsbury, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va., January 30th 1895 No. 43

The Farmers Bank of Vanswinder
Pay to the order of

Ann M. Barlow

\$10 ⁰¹/₁₀₀

Ten and ¹/₁₀₀

Dollars

In full of year interest in proceeds of sale of B. H. Swallow
land after paying debts & costs

W. S. Holland

Wm. S. Holland,
Attorney

Suffolk, Va., Jan'y 30th 1894 No. 44

The Farmers Bank of Nansemon

Pay to the order of

Ar dell Lagan

Ten and 1/100

\$ 10.00

Dollars

In full of my interest in proceeds of B. H. Miller's
land after my debts & costs

10 01

W. S. Holland

Luster Thomas

Rev. T. H. HARR,
Care of Order for Collection,
March 10, 1885.

THE BANK OF MONTPELIER,
Vt.

THE BANK OF MONTPELIER,
Vt.

Wm. S. Holland,
Attorney.

Suffolk, Va., January 30th 1895 No. 45

The Farmers Bank of Nansemond
Pay to the order of

Leicester Thomas \$10 ¹/₁₀₀
Ten & ¹/₁₀₀ Dollars

In full of your interest in proceeds of sale of B. F. Swasey
land after paying debts & costs

W. S. Holland

W. H. Gualter
E. A. Hackett

J. L. Dripes
A. E. Bell

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan 30th 1895 No. 46

The Farmers Bank of Nansemon
Pay to the order of

W. H. Swalley

Eight and $\frac{2}{100}$

\$ $\frac{2}{100}$

Dollars

In full of your interest in proceeds of sale of B. K. Swalley
land after paying debts & expenses

W. S. Holland

Mary L. Whitley
George J. Whitley

Pay W. H. Doyle,
Cashier, or Order for Cash,
on account of
THE BANK OF SMITHFIELD;
A. S. DOBETT, Cashier.

City of Boston, Bank of Mass.
and Bank, A.S.
for Collection for Collection
CITIZENS BANK OF NORFOLK
Walter H. Doyle, Cash.

Wm. S. Holland,

Attorney.

Suffolk, Va., Jan'y 30th 1895

No. 47

The Farmers Bank of Vanshemond

Pay to the order of

Mary F. Whitley

\$8.52
100

Eight and 2/100

Dollars

in full of my interest in proceeds sale of B. H. Howitz
land after paying costs & debts

W. S. Holland

Louisa: Batten

Wm Batten

Pay W. H. Jones, Jr. Cash,
For Collection, on Account of
NORFOLK NATL BANK
NORFOLK
C. Hardy, Cashier

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan'y 30th 1895- No. 48

The Farmers Bank of Nansemond
Pay to the order of

Louisa Batteon

\$ 8 $\frac{02}{100}$

Eight and $\frac{2}{100}$

Dollars

In full of my interest in sale of B. H. Russell's land
after paying costs & debts

W. S. Holland

Robert L. Winston

FOR DEPOSIT IN

FIRST NAT'L BANK.

TO THE CREDIT OF

J. G. TINSLEY & CO.

FOR COLLECTION ACCOUNT OF
THE FIRST NATIONAL BANK,

RICHMOND, VA.,

H. C. BURNETT, Cashier.

FEB 28 1885

Pay W. H. Jones, Jr. Cash'r.
For Collection, on Account of

THE NORFOLK NATIONAL BANK,
NORFOLK, VA.

C. Hardy, Cashier.

Wm. S. Holland,

Attorney.

Suffolk, Va., January 30th 1895 No. 49

The Farmers Bank of Nansemond

Pay to the order of

Roxanna C. Millington

\$8 ⁰⁰/₁₀₀

Eight and ²/₁₀₀

Dollars

In full of your interest in proceeds of sale of B. H.
Swallow and after paying disbursements

W. S. Holland

Mattie Little

T. Little

J. D. Gwaltney

J. D. Gwaltney,
Cashier,
BANK OF
W. BATHFIELD,
BATHFIELD, Cashier.

THE BANK OF COMMERCE

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan 30th 1895 No. 50

The Farmers Bank of Nanslemend
Pay to the order of

Mattie Little

\$2.50

Two & no 100

Dollars

In full of my interest in proceeds sale of B. H. E. & Co.
land after paying debts & costs

W. S. Holland

Mrs. Jno. R. Hume
Harvard

Pay T. V. Hays,
Cashier, or Order Cashier
on account of
THE BANK OF SAVINGS
A. S. WESTERN L. C. B. B. B.

PAID TO THE ORDER OF
ON ACCOUNT OF
THE BANK OF SAVINGS
A. S. WESTERN L. C. B. B. B.

Wm. S. Holland,
Attorney.

Suffolk, Va., January 30th 1895

No. 51

The Farmers Bank of Vansomond
Pay to the order of

Mrs. Geo. R. Ward

\$ 2⁰⁰/₁₀₀

Two

Dollars

in full of your interest in property sold of 13, 4, 1/2 dollars
but after paying debts & costs

W. S. Holland

Pay to C. S. Hart
or order, to whom the
amt. is due -

Rs. A. Edecoat
Shipp & Adams

C. S. Hart

PAID TO ORDER
OF THE
BANK OF SMITHFIELD,
SMITHFIELD, VIRGINIA

THE PATENT BANK OF MANSFIELD
AT FARMINGTON, Vt.
AND ORDER FOR COLLECTION
TO THE BANK OF NORFOLK, VA.
Messrs H. Deane, Cashier

Wm. S. Holland,
Attorney.

Suffolk, Va., Jan'y 30th 1895 No. 52

The Farmers Bank of Nansemond
Pay to the order of

R. A. Edwards Sheriff & admr. J. A. Cooper dec'd \$86 $\frac{30}{100}$

Eighty six and 30/100 Dollars

In full of your debt paid in suit of Hest & Hewitt
vs B. H. Hest & admr. et al.

W. S. Holland

Pay J. A. Willett,
Cashier of Bank for Collection
of Southfield,
Southfield, Michigan.

→*Credit Account*→
First National
Bank of Newport News,
Newport News, Va.
Account of
J. A. Willett, Cashier.
PEOPLE'S NATIONAL BANK,
C. Hardy, Cashier.

Wm. S. Holland,

Attorney.

Attorney.

Suffolk, Va., Jan'y 30th 1895 No. 53

The Farmers Bank of Nanssmond

Pay to the order of

R. E. Boykin

Nine and 05/100

\$9 ⁰⁵/₁₀₀

Dollars

In full of 300 debt found in suit of B. H. Boykin vs B. H. Boykin's adv.

W. S. Holland

For Deposit, Only
TO THE CREDIT OF

The Norfolk Landmark Publishing Co.,

Per *S. S. Nottingham* *Jm*

FOR COLLECTION,
For Credit
THE MARINE BANK,
Norfolk, Va.

Hand,

Wm.

Suffolk, Va., Feb 11th 1898 No. 61

The Farmers Bank of Nanssmond

Pay to the order of

Norfolk Land Mark Pub. Co. \$ 9 ⁰⁰/₁₀₀

Nine and no/100 Dollars

In full for order Pub. in Swathing & Hert vs Ewalling's order

W. S. Holland

Ro. A. Edwards

Pay *W. H. Doyle*,
Cashier, or Order for Collection,
ON ACCOUNT OF
THE BANK OF SMITHFIELD,
A. S. BARRETT, Cashier,

Pay *Edmond Bank of Nantuxat*,
NANTUXAT, VA.
FOR COLLECTION
CITIZENS BANK OF NORFOLK, VA.,
Walter H. Doyle, Cashier

Wm. D. Hand,
Attorney

Suffolk, Va., Feb'y 20th 1895 No. 71

The Farmers Bank of Nansemond
Pay to the order of

R. A. Edwards

\$21 ⁵⁰/₁₀₀

Twenty one and fifty hundredths Dollars

In full of all fees and sheriff & other wire and in-
cluding fine (\$5) dollars as fees in selling land in
suit of Hart & Swatney vs Swatney's adms et al.
W. S. Holland

+ James Thomas. +

X-----X

Pay C. Hardy,
Cashier on Order for Collection,
ON ACCOUNT OF
THE BANK OF SMITHFIELD,
A. S. CASHIERS, Cashier.

F. H. Jones, Jr. Cash'r.
Collection on Account of
FOLK RATIONAL BANK,
F. & A.
Hardy Cashier.

WM. S. HOLLAND
ATTORNEY
WINDSOR, VIRGINIA

NP 346

SUFFOLK, VA.

January 25th 1896

PAID

FARMERS BANK OF NANSEMOND

Pay to the order of James Thomas

Ten & $\frac{41}{100}$

Dollars

Four share in full of proceeds of sale of lands in trust of
Hess & waiting vs. Hutton's admt. & alts.

\$ 10 $\frac{41}{100}$

William S. Holland

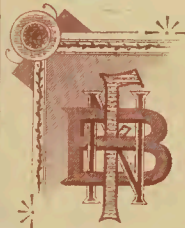
Arthur

Esq

Gwynne

No. 700

SUFFOLK, VA. Oct. 5th 1896



THE FARMERS BANK OF NANTSEMOND.

Pay to the order of C. H. Hunt

Two and 08/100

Dollars.

This pays on order James Swallow and is in full
of Jones Swallow's interest in property in hands of wife
Holland Spe. Curr. Hunt & Swallow vs Swallow's admr

\$ 2 08
100

Wm. Allen Co. Philadelphia.

Wm S. Holland

Oceanna Walker

+ me Thomas +

for
Geo S Thomas
and

To the
John Decker

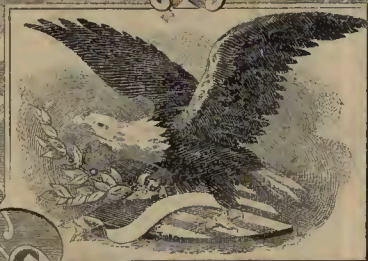
Wm G. Bennett
Cashier, or Order

THE BANK OF SMITHFIELD,
A. S. G. B. 1877, Cashier.

Wm G. Bennett, Jr. Cashier
THE BANK OF SMITHFIELD
A. S. G. B. 1877, Cashier

AN 2070

\$



Oct. 5th

1896

Pay to

the order of Oceanna Walker nee Thomas

Ten and

$\frac{41}{100}$ Dollars.

Value received and charge the same to account of. This is for
amt due in amt of Rent & hallway & S. Wallings down

To The Farmers Bank of

No. Kauffman, Suffolk Co

Wm S. Hall and

set of

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of the county of Isle of Wight, on the 5th day of September, 1893—

C. H. Hart and W. R. Gwaltney. Plaintiffs
vs.

R. A. Edwards, Sheriff and administrator
of B. H. Gwaltney, deceased, S. B.
Lee Gwaltney, A. R. Gwaltney et
als.....Defendants

IN CHANCERY.

The object of this suit is to obtain partition of the land whereof B. H. Gwaltney died seized and possessed in the county of Isle of Wight amongst his heirs at law, and an affidavit having been filed that the defendant, S. B. Lee Gwaltney, is not a resident of the State of Virginia, it is ordered that he do appear here, within fifteen days after due publication hereof and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in some newspaper, and that a copy be forthwith posted at the front door of the courthouse of this county.

A copy—Teste:

N. P. YOUNG, Clerk.

W. S. HOLLAND, p. q.

se7 th4w

FOR RENT—VALUABLE FISHERIES

PORTSMOUTH LOCAL.

Our Portsmouth Letter Box.

All communications advertisements orders for papers, or other business, left in THE LANDMARK letter box, at the drug store of G. A. KREIGER, corner of High and Middle streets (under Maupin's Hall), will be promptly attended to.

Mere Mention.

—Mr. Sam Oast returned yesterday from Chicago.

Nothing whatever stirring in police circles yesterday.

—Mr. C. C. Diggs and daughter have returned from New York.

—The new walls of Trinity P. E. Church are going up rapidly.

—The truckers state that the weather is fine for the crops of the Fall.

—Miss Florence Orphella returned yesterday morning from the World's Fair.

—Mr. James E. Wilkins has severed his connection with the telephone company.

—Mr. John E. Hathaway is confined to his residence on Effingham street by illness.

The merchants state that the ex-

✓
Nash & Gevaltney

n. $\frac{3}{3}$ in chief.

Gevaltney's adm. etab.

Report of Commrs.

Spring under a
decree of Octo. 1893,

Filed Feb. 20. 1894.

Shows the account of debts proved against said B. W. Gwaltney and his estate to be \$216. ⁴⁴/₁₀₀.

That the sale of the land in the bill mentioned, will promote the interests of the infant defendants.

That the right of no party in interest will be violated by a sale of the land.

That the assessed value of said land is \$50.00, and the fair market value is \$400.00.

That there is no lien on the interest of any party interested in said land.

That the land will rent for enough in five years to pay the said debts, but that the land cannot be divided in kind without injury to the interest of the parties entitled to participate in the proceeds of a sale of said land, and your commission, without hesitation, recommends a sale thereof and a division of the proceeds between the parties in interest.

Given under my hand as a Commissioner in Chancery of the said Circuit Court the day and year first aforesaid.

N. P. Horsey Comr.

Comm. fee . . .	\$15.00
Stiff. fee . . .	10.00
Att. Co. Ct. (copy) . . .	.50
<u>Ads before Court.</u>	<u>\$25.50</u>

of Bury: H. Gwatney decd. and others defend-
ants directing one of the commissioners of
said Court to take an account of the debts
outstanding and unpaid against B. H.
Gwatney decd. 2nd. whether sale of the
land in the bill mentioned will pro-
mote the interests of the infant defend-
ants. 3rd. Whether the right of any party
in interest will be violated by such sale.
4th the assessed and for receipt value
of said land. 5th Whether there are
any liens on the interest of any party
in said land. 6th: If the land will
rent for enough in five years to pay
said indebtedness, then to further en-
quire whether the said tract of land
can be divided in kind. 7th, Any mat-
ters deemed pertinent by said com-
missioner or any party in interest.

Your commissioner reports to the Court
that on the 26th day of Jan'y, 1894, he issued
notices to all the parties interested, except
to B. B. L. Gwatney one of the defendants
who is a non resident of the state of Vir-
ginia, and against whom the suit
has proceeded in the mode prescribed
by law against absent defendants,
which notices were duly served and
returned to your commissioner, that
your commissioner had fixed upon the
15th day of February 1894, to take
said accounts and make said inquiries
and reports. That the parties, or most
of them, appeared by atty. or in person.
And upon the evidence before him
your commissioner has made the fore-
going account of debts, which

An account of the debts and demands
against Benjamin H. Gwattney decd. and
his estate.

County			
Plaintiff	1	Debt due W. R. for Coffin & Int. from 2. Jun 1888, to 20. Apl. 1894	29 00 9 97 38 97
"	2	Debt due C. H. Hart of per Dr. G. H. Jordan, med. att. Castillup Int. from 9. Apl. 1886, to do.	20 00 7 06 27 06
"	3	Debt due C. H. Hart for taxes pd. for decd. in his lifetime Int. from July 7. 1887 to do.	3 44 1 36 4 80
"	"	Debt due W. R. Gwattney do. do. Int. from by average 53 mos.	9 05 2 31 11 36
"	4	Debt due W. R. Gwattney on act. Int. from 12. Apl. 1888 to do.	25 00 8 82 33 82
"	"	Debt due R. A. Edwards & Shiff. admt. of J. A. Lefer decd. for balance Int. on same from 7. Mar. 1888, to do.	61 48 22 06 83 54
"	"	Debt due R. E. Brykiss on bond Int. from 1. June 1881 to do.	5 00 3 82 8 82
"	"	Debt allowed Comr. & Clerk for for making ready acct. debts in County Court. Int. on same 2 years	7 50 90 8 40

\$216 77

Commissaries office, Isle of Wright County,
Feb. 15th 1894.

To the Circuit Court of Isle of Wright County.

Pursuant to a decree of the said
Circuit Court, rendered on the 28th day
of October 1893, in a suit in chancery
depending therein between C. H. Hart
and W. R. Gwattney plaintiffs, against
R. A. Edwards, sheriff and administrator

Hart et al:

vs. $\frac{1}{2}$ Beebe & Co
Geothermal et al,

Ans. to writ

Att. for & tax - 16.50

cek. " - 17.35

Shuff. " " - 16.50

Do. Dury -
for & pay. " " cek. } 2.04

Do. Norfolk Co. pa. by }
cek - } 1.04

cek. Co. et. et bl - .50

cond. Young - 15.00

Cost. apl. / 94 / 68.94

Ord. filer - - -

Ed. C. 14, Hart 625-00

Pro A. Edwards

Cash

FARM FOR SALE.

Pursuant to a decree in the cause stated below, I shall on the 3d day of September, it being Court Day, at the court-house of Isle of Wight county, offer for sale at public auction to the highest bidder all that certain farm lying, being and situate in said Isle of Wight county, containing 90 acres more or less (sale in gross and not by the acre) and which adjoins the lands of C. H. Hart, Mary E. Cofer and others, it being the tract of land of which B. H. Gwaltney died seized and possessed.

This is a splendid farm in a good neighborhood and accessible to one of the best markets in this section of the country. A rare opportunity to buy a good home or to make a paying investment.

TERMS—One-third cash, with the privilege to the purchaser taking one year's credit on the balance or paying all cash. Title retained till further order of the court.

W. S. HOLLAND,

JULY 24, 1894.

Special Com'r.

CLERK'S OFFICE,
Circuit Court of Isle of Wight Co.,
July 21, 1894.

I, N. P. Young, clerk of the Circuit Court of Isle of Wight county, do certify that the bond required by a decree entered in the cause of Hart and Gwaltney vs. Gwaltney's Admr. et als. on the 20th day of April, 1894, has been executed by W. S. Holland, special commissioner, with surety by me deemed sufficient.

N. P. YOUNG,

Clerk.

FARM FOR SALE.

Pursuant to a decree in the cause stated below, I shall on the 3d day of September, it being Court Day, at the court-house of Isle of Wight county, offer for sale at public auction to the highest bidder all that certain farm lying, being and situate in said Isle of Wight county, containing 90 acres more or less (sale in gross and not by the acre) and which adjoins the lands of C. H. Hart, Mary E. Cofer and others, it being the tract of land of which B. H. Gwaltney died seized and possessed.

This is a splendid farm in a good neighborhood and accessible to one of the best markets in this section of the country. A rare opportunity to buy a good home or to make a paying investment.

TERMS—One-third cash, with the privilege to the purchaser taking one year's credit on the balance or paying all cash. Title retained till further order of the court.

W. S. HOLLAND,

JULY 24, 1894.

Special Com'r.

CLERK'S OFFICE,
Circuit Court of Isle of Wight Co.,
July 21, 1894.

I, N. P. Young, clerk of the Circuit Court of Isle of Wight county, do certify that the bond required by a decree entered in the cause of Hart and Gwaltney vs. Gwaltney's Admr. et als. on the 20th day of April, 1894, has been executed by W. S. Holland, special commissioner, with surety by me deemed sufficient. N. P. YOUNG,
Clerk.

Part of Gwaltney
vs. Zachy
Gwaltney's admr. et al.

To be entered

CMA

Oct term 1894

Entered #9

Hart & Gwaltney

vs

Gwaltney, s admr. et als.

This cause came on this day to be again heard on the papers formerly read, on the report of sale by commissioner Holland, and was argued by counsel:

on consideration whereof the court doth adjudge, order and decree that said ^asale of the lands in the bill and proceedings mentioned to C.H.Hart be and the same is confirmed, and that W.S. Holland who is hereby appointed a special commissioner for that purpose make execute and deliver to said C.H.Hart, upon receipt of the purchase price, a good and sufficient deed with special warranty for the said lands, and out of the said money thus coming into his hands pay first the costs of this suit including a fee of \$ 50— to W.S.Holland attorney conducting this cause and pay next the debts as reported by commissioner in his report ^{Young} file in this cause on the Febriuary 10th 1894 and pay the residue to the parties entitled and make report to court.

Hart & Gwaltney

vs

Gwaltney, s Admr. et als.

Comm. H's Rept.

Decree

To be entered.

Sept or Oct 1894

E.H.Hart & W.R.Gwaltney

B.H.Gwaltney, s admr. et als.

The undersigned your commissioner begs to report that on the 3rd day of Sept. 1894 at Isle of Wight Court-house, it being court day, he offered the land for sale at public auction, at which sale C.H.Hart became the last and highest bidder for the sum of six hundred and twenty-five dollars and it was knocked down to him. Your commissioner says that the sale is a most excellent one, commissioner Young having reported the land worth only four hundred dollars.

your commissioner says that Mr. Hart has paid no part of the purchase price as yet but your commissioner knows him to be perfectly responsible and He (Hart) having expressed a desire to pay all cash as soon as the sale is confirmed.

All of which is

Most Respectfully Submitted

W.S. Hall and

Ape. Comr.

Feb 6, 1895

Wm S. Holland Esq,
D. C.

Cornet, Va
Feb 6/92

Yrs of 5th inst. just recd:
Contents noted. I've paid off all the chks:
I send you my ch: for the bal: due on
the land of \$227.⁰⁰ having pd \$100⁰⁰
before. Some of the costs in your state-
-ments have been paid by me. I know the
\$8.74 was paid down one or two ^{you} ago
I think I've pd: other fees. I have them
some where - You will please send
me the deed as soon as you can
conveniently. I've sent the ch: for Br.
Edwando to him to be endorsed & returned
to me. as I pd his debt some two years
ago. in full dreen for dreen. Most ly
to doing. Grtly.

W. S. Hart

Host & Rev attorney

vs

Rev attorney adm. 509.

Report of pyrites
by W. S. Hallard

OCT. 25 - 1897.

By amount brought forward		\$627.08
To " " "	\$390.90	
" W.R.Gwaltney, heir	20.05	(38)
" S.B.Lee Gwaltney Heir,	20.05	(39)
" C.H.Hart, assignee of heirs	60.18	(37)
" A.R.Gwaltney heir,	10.01	(40)
" N.O.Gwaltney "	10.01	(41)
" Fanny Brook "	10.01	(42)
" Ann M. Barlow "	10.01	(43)
" Arde'll Logan "	10.01	(44)
" Luster Thomas "	10.01	(45)
" James Thomas "	10.01	(346)
" Retained to pay Oceanna Thomas <i>Paid</i>	10.01	check 2070
" Paid W.H.Gwaltney heir	8.02	(46)
" " Mary F. Whitely, heir	8.02	(47)
" " Louisa Batten "	8.02	(48)
" " Roxanna C. Millington heir	8.02	(49)
" " Mattie Little "	2.00	(50)
" " Mrs Jno. R.Ward "	2.00	(51)
<i>Returned for</i> Eddie Gwaltney "	2.00	<i>EH H.</i>
" ~~Retained to pay~~ James Gwaltney <i>Paid</i>	2.00	ch to 100
" " " " W.P.Delk	6.69	
" " " " Mary A.Delk	6.69	
" " " " Martha M.Delk	6.69	
By Balance due Commissioner		4.33

\$631.41. \$631.41

These items are supported by vouchers herewith filed, except as to one or two small items of costs, which the said commissioner has paid, and, is willing to make affidavit to that fact.

Most Respectfully Submitted.

Wm S. Hallam

Spe. Cmr.

To the Hon. Robt. R. Prentiss, Judge of the Circuit Court of Isle of
Wight county, Virginia:-

The undersigned, your commissioner, in the
suit of Hart & Gwaltney vs Gwaltney, s admr. et als. , beg to report that
pursuant to a decree entered herein on the th day of October 1894, that
he collected the purchase price of the land from Mr. C.H. Hart, the purchaser,
and paid out the costs of suit, the fee allowed by the court, and has paid
all the debts, and all the heirs entitled, except James Gwaltney to whom
is due two dollars, W.P. Delk to whom is due six dollars and sixty nine
cents, Mary A. Delk to whom is due the sum of \$6.69 and Martha M. Delk
to whom is due the same amount, making the balance in hand the sum of
\$20.07 . Your commissioner was directed to pay to the parties or to their
guardians, but these parties to whom something is still due are minors
and, so far as your commissioner is informed, have no guardian. Your
commissioner has at times been ready to pay these parties. The following
statement will show an account of this transaction more particularly:-

By amount of proceeds of sale of land	\$625.00
" Int. from January 1st. to January 20th 1895	2.08
To paid taxed costs	\$ 68.94
" Retained to pay future costs	5.00
" Commissions on \$627.08	21.54
" Fee for drawing deed to purchaser	5.00
" Paid crier, R.A. Edwards	5.00 (711)
" " Norfolk Landmark, order Publication	9.00
" " Hand bills	1.00
" " Fee allowed W.S. Holland by court.	5 0.00
" " debt due W.R. Gwaltney	39.09 (38)
" " " C.H. Hart assignee of G.H. Jordan	30.53 (37)
" " " C.H. Hart for taxes	5.00 (37)
" " " W.R. Gwaltney	11.77 (38)
" " " " " "	34.94 (")
" " " R.A. Edwards, sheriff & Admr. T.A. Cofer	86.30 (52)
" " " R.E. Boykin on bond	9.05 (53)

Retained for C.H. Hart for costs by him paid to the
Cour. acct. Co. Court

8.74

Hort & Ewalling

vs $\frac{1}{2}$

E. Wallings & deen et. al.

Report of final dis-
tribution.

Filed April 20th 1905

A FURTHER AND FINAL REPORT OF DISBURSEMENTS IN THE SUIT
OF HART & GWALTNEY vs GWALTNEY'S ADMR. ET ALS., THIS
20th DAY OF APRIL 1905.

Balance in my hands as shown in former report filed October 25, 1897,
less balance due me as shown by said report.

By Amount retained to pay costs	\$5.00
" " " for Mary A. Delk	6.69
" " " " Wm. P. Delk	6.69
" " " " Mattie M. Delk	6.69
 To Paid N. F. Young, Clerk	 \$8.00
" " Mary A. Delk	5.69
" " Wm. P. Delk	5.69
" " Robert R. Delk, father and distributee of Mattie M. Delk, deceased.	5.69
	<u>\$25.07</u> <u>\$25.07</u>

ck to 3776 to young
" " 3775 " delk
" " 3774 " "
" " 3773 " "

By Reuben A. Kelley
W. S. Hall and, the. Law.

Hart & Gwaltney

vs.

~~--Gwaltney's-Adm'r-et-als--~~

Decree

To be entered *CWd*

Oct 21. 1893

Continued #11

Hart & Gwaltney

vs.

Gwaltney, s Admr. et als.

This cause came on this day to be heard on the Bill to answer which all the adult defendants have been summoned to answer except one, which bill is taken for confessed as to them, on order of publication duly executed, on the answer of infant defendants by their guardian ad litem, with general replication to said answer, and was argued by counsel; On consideration whereof the court doth adjudge, order and decree, that one of the commissioners of this court take an account of the debts outstanding and unpaid against B.H.Gwaltney deceased and in so doing said commissioner may adopt as his own the report of the Commissioner of Accounts of the county court of Isle of Wight county with any proof of the assignment of said debts, (2) Whether sale of the lands in the bill mentioned will promote the interest of the infant defendants? (3) Whether the right of any party in interest will be violated by such a sale? (4) The annual and feesimple value of said land. (5) Whether there there are any lien on the interest of any part in said lands? (6) If the lands will rent for enough in five years to pay said indebtedness then to further inquire whether the said tract of land can be divided in kind? (7) Any matter deemed pertinent by said commissioner or any part in interest.

Kearst et al.;
vs. John Chey.
Geo attorney's adm. & as.
copy of
Decree of Dec. 1893

For accts.

Dec. 26, 1893. noted
if to 15. July. 1894.

(6.) If the lands will rent for enough to give
seeds to pay said indebtedness then to
further inquire whether the said back of land
can be divided in kind? (7) Any matter
demanded pursuant by said Commissioners
or any party in interest.
A copy. Note.

A. O. Brown & others

Isle of Wight Circuit Court
Octo. 21, 1893

Hart & Gwallney

v.

Gwallney's Adm. chas.

This cause came on this day to be heard on the Bill to answer which all the adult defendants have been summoned to answer except one, which bill is taken in confid as to them, on order of publication duly executed, on the answer of infant defendants by their guardian ad litem, with general replication to said answer, & was argued by Counsel - On consideration whereof the Court doth adjudge order and decree, that one of the Commissioners of this Court, take an account of the debts outstanding & unpaid against B. H. Gwallney deceased & in so doing said Commissioner may adopt as his own the report of the Commissioner of Accounts of the County Court of Isle of Wight County with any proof of the asseignment of said debts, (2) Whether sale of the lands in the bill mentioned will promote the interest of the infant defendants? (3) Whether the rights of any party in interest will be violated by such a sale? (4) The annual & fee simple value of said land. (5) Whether there are any liens on the interest of any party in said land.

Hart & Gwaltney

vs

Gwaltney, s Admr. et als

Decree

To be entered

CMS

Apr 20, 1894

Entered #1

Hart & Gwaltney

vs.

Gwaltney, s Admr. et als

This cause came on this day to be again heard on the papers formerly read and on the report of commissioner Young filed herein on the 20th day of February 1894 to which no exception has been filed, and was argued by counsel;

On consideration whereof the court doth adjudge, order and decree that said report be confirmed, and that W.S.Holland who is hereby appointed a special commissioner for that purpose, proceed to sell the lands in the bill and proceedings mentioned after first having advertized the time, place and terms of sale by printed hand bills for at least one month, for cash one third, and the rest one year after date with privelege to the purchaser to pay all cash, title retained till conveyance order^{3d} by the court, but the said special commissioner shall not execute this decree till he give bond in the penalty of ~~six~~^{eight} hundred dollars before the clerk of this court with surety by said clerk deemed sufficient, payable and condition^{ed} according to law, and that said special commissioner make report to court

Hart and Gwaltney

vs.

Gwaltney, s Admr. et. als.

October 25th 1897.

D E C R E E .

To be entered.

Robert H. Harris

Entered

Hart and Gwaltney

vs

Gwaltney, s Administrator et. als.

This cause came on this day to be again heard on the papers formerly read, and on the report of payments by Wm.S.Holland, Special Commissioner, pursuant to a former decree herein, filed this day by leave of court, and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree that the said report of Special Commissioner, Wm.S.Holland, showing by proper vouchers that he has paid out all the money in his hands except the sum of ^{twenty} ~~thirty~~ dollars ^{and seven cents} ~~and one cent~~, be, and the same is, hereby confirmed.

And the court doth further adjudge, or and decree that said Wm.S.Holland, Special Commissioner, pay, without interest, the said sum of ^{\$20.07} ~~\$30.01~~ left in his hands, as follows: ~~to Oceanna Thomas the sum of \$10.01; to James Gwaltney, \$2.00;~~ to W.P.Delk, \$6.69; to Mary A.Delk, \$6.69; and to Martha M.Delk, \$6.69 when they shall attain to their majority, or sooner, on demand, to their duly qualified guardians.

Hart & Gwaltney #
vs #
Gwaltney's Admr. et als. #
#####

D E C R E E .

To be entered.

June 5, 1905.

Hart & Gwaltney #
vs #
Gwaltney's Admr. et als. #
#####

This cause came on this day to be again heard on the papers formerly read, and on a further report of disbursements by Wm. S. Holland, Special Commissioner, showing that he has paid out all the money in hand, filed hereon on the 20th day of April 1905, and was argued by counsel.

On consideration whereof, the court doth adjudge, order, and decree that said report of Wm. S. Holland, Special Commissioner, to which no exception has been filed and which is supported by proper vouchers be, and the same is, hereby approved, ratified and confirmed.

And nothing further appearing to be done, it is ordered that the same be stricken from the docket.

Hart & Gwatney
or { Moley,
Gwatney's admr. etc.

Abstract from
export act. of
debts.

Exh. "A"

Abstract from the account of debts
against the estate of R. H. Gwaltney decd.
his estate, of record in clerk of court office,
(Ink on all debts calculated to 1. March 1890.)

Debt due to R. Gwaltney of.	35.44
Debt " C. H. Nash "	24.66
Debt " Tamm "	4.39
Debt " W. R. Gwaltney "	10.72
Debt " Tamm "	30.82
Debt " Est. of J. A. Cofer ^{W. H. T.}	76.16
Debt * " R. E. Boykin * "	8.22
Debt " Cora Young ^{CHH} "	6.00
Debt " Clerk of Court ^{CHH} "	1.58
	<u>\$197.96</u>

Teste,

A. O. Young clk.

* per about time *

Note:

Mr. Nash & Mr. Gwaltney may have
paid the Cora & Clerk debts. And I
think Mr. Nash has paid the J. A. Cofer
debt.

A. O. Young

Sung Co.

Form No. 400.

East & Spalling

vs. }

COMMISSIONER'S NOTICE.

Spalling's adm. dals.

To 15th Jan'y, 1894.

Received by delivering a copy of this
Notice to Cordell Morgan, Richard Morgan
& Edwin Morgan, each \$ three dollars,
9th 1894

Do. W. B. Morgan
5/94

Commissioner's Office,

Ile of Wight Court-house, Decr: 26th 1893

To Ardel Logan vic Thomas, Richard Logan and
Susan Thomas

You are hereby notified that I have fixed upon the 15th day of February next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of the debts outstanding & unpaid against B. H. Gwaltney
decd: or his estate. 2d. Whether sale of the land in the bill
mentioned will promote the interest of the infant defendants.
3d. Whether the right of any party in interest will be promoted
by such a sale. 4th The annual and fee-simple value
of said land. 5th Whether there are any liens on the interest
in said land of any party interested therein. 6th If the
lands will rent for enough in five years to pay said indebtedness,
then enquire whether the said tract of land can be
divided in kind. 7th Any matter deemed pertinent by the
Commr, or any party in interest.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 21st day of Octo: 1893, in a suit in chancery depending in said

Court between C. H. Hart et als: p'tffs: and R. A. Edwards
admr: of B. H. Gwaltney decd: et als: defts:

at which time and place you are required to attend.

Given under my hand, as Commissioner in chancery of the said court, the day and year first aforesaid.

H. P. Young, Commr.
in Chief.

Hart & Swatney

vs.

COMMISSIONER'S NOTICE.

Swatney's admrs.
et als.

To 15th of Feb., 1894.
1)

Executed Jan 10-
94 by serving a copy
of the within notice
on each of the within
named parties in
person

A. C. Brownell

Sheriff

Test. Exec. \$1.00 by clerk.

Commissioner's Office,

Isle of Wight Court-house, Dec. 26th 1893

To: Mr. M. and W. H. Paulson

You are hereby notified that I have fixed upon the 15th day of February next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of The debts outstanding unpaid against B. H. Gwaltney
decd. or his estate. 2^d Whether sale of the land in the bill
mentioned will promote the interest of the infant defendants.
3^d Whether the right of any party in interest will be promoted
by such a sale. 4th The annual and full-value of
said land. 5th Whether there are any liens on the interest in
said lands of any party interested therein. 6th If the lands
will rent for enough in five years to pay said indebtedness, then
enquire whether the said tract of land can be divided in kind.

7th Any matter deemed pertinent by the Commr. or any
party in interest.
required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 21st day of Oct. 1893, in a suit in chancery depending in said

Court between C. H. Hart et al. ptffs. and H. J. Edwards
admr. of B. H. Gwaltney et al. depts.

at which time and place you are required to attend.

Given under my hand, as Commissioner in chancery of the said court, the day and year first aforesaid.

A. O. Young, Commr.
in Chf.

$$\begin{array}{r}
 29. \\
 \underline{12} \\
 8.48 \\
 6.49 \\
 \hline
 9.97 \\
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 2.40 \\
 4.66 \\
 \hline
 7.06 \\
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 344 \\
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 41.28 \\
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 136 \\
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 9095 \\
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 9,052\frac{1}{2} \\
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 4528 \\
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 3.00 \\
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 7,37.64 \\
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 22.08 \\
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 60 \\
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 3.82 \\
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 7.50 \\
 \underline{12} \\
 90.00
 \end{array}$$

Hart & Spaulding

us.

COMMISSIONER'S NOTICE.

Gevaltunys' adnotetab.

Oct 15th Feb'y, 1894.

acum. la. 1/2 of \$7.00
 Fee simple 400.00

& acknowledge legal service of
 the citation made May 5th / 1894
 by a copy thereof being in the presence of my self,
 executed by delivering a copy of this notice
 to the said Wm. C. Harrison do & Edward H. T.
 Nelson A. R. Wardlaw M. A. Brinkley James
 Joseph A. W. Marshall. West Hecarman Mary J.
 Volckley Geo. J. Volckley George Parker Horner
 C. Mullington Jno. E. Mellickin Mattie
 Beattie J. Beattie Mrs. Wm. C. Davis J. R.
 Lewis & A. E. Josephine and as before
 J. E. 10th / 1894.
 Do U. Edwards shs

Commissioner's Office,

Ile of Wight Courtroom, Dec. 26th 1893.

To C. N. Hart & W. R. Gwaltney, Plaintiffs; and to R. A. Edwards, Sheriff & admr. of B. N. Gwaltney dec'd; S. B. S. Gwaltney, A. R. Gwaltney, M. O. Gwaltney, James Brock, A. W. Brock, Ann W. Barlow, Edith Barlow, Ardel Sagan, son Thomas; Richard Hogan, Sister Thomas; Owen N. Gwaltney, Mary T. Whitley, George T. Whitley, James Patton, Royce C. Millington, John E. Millington, Mattie Little, T. J. Little, Mrs. John R. Ward, Mrs. R. Ward, James Thomas, Oceana Thomas, James Gwaltney, Eddie Gwaltney, Mary A. Delt, and Martha W. Delt, the last six infants under 21 years of age, by R. E. Boykin their guardian ad litem.

You are hereby notified that I have fixed upon the 15th day of February next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of the debts outstanding & unpaid against B. N. Gwaltney dec'd, or

his estate. 1st Whether sale of the land in the bill mentioned will promote the interest of the infant defendants; 2nd Whether the right of any party in interest will be promoted by such a sale; 3rd Whether the amount and fee simple value of said land; 4th Whether there are any claims on ~~the~~ the interest in said land of any party interested therein. 5th If the land will rent for enough in few years to pay said indebtedness, then require whether the said tract of land can be divided in kind of the same matters decreed pertinent by the Court, or any party in interest.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 21st day of Octo. 1893, in a suit in chancery depending in said

Court between the foregoing parties, plaintiffs and defendants.

at which time and place you are required to attend.

Given under my hand, as Commissioner in chancery of the said court, the day and year first aforesaid.

J. P. Horsey Comr.

W. S. Hallen court
in suit of
Hart Gwalling vs
Edward J. Adams &c.

to } COMMISSIONER'S
BOND.

Commonwealth.

Copy

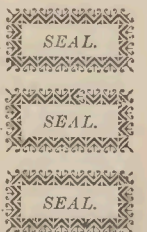
Know all men by these Presents, That we, W. S. Holland
and C. A. Hart
are held and firmly bound unto the Commonwealth of Virginia, in the sum of Eight
Hundred Dollars,
to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind
ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally,
firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation,
and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by
virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our
seals, and dated this first day of May one thousand
eight hundred and ninety four.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound W. S.
Holland
shall faithfully perform the duties of his office or trust, as Commissioner of
sale
under a decree of the Circuit Court of the County of Salem
pronounced on the 2nd day of April, 1894, in the suit therein
depending under the name and style of C. A. Hart vs. W. A. Gwalling
Plaintiff against R. A. Edwards ex. admr. of
Benj. A. Gwalling decd. estate

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

W. S. Holland
C. A. Hart



In the Clerk's Office of the Circuit Court of the County of Salem
This day C. A. Hart

suret on the above bond, made oath before me, M. W. Young Clerk
of the Circuit Court of the County of Salem
that his estate, after the payment of all his just debts, and those for which he is bound as
security for others and expect to have to pay, is worth the sum of Eight
Hundred dollars.

Given under my hand this 1st day of May, 1894.

Teste: M. W. Young Clerk.

Attest
M. W. Young clerk
by N. P. Young Deputy